

Congress of the United States
House of Representatives

Washington, DC 20515

SENATE NATURAL RESOURCES

EMPHASIS NO. 2

DATE Jan. 26, 2009

BILL NO. SJ 7

Montana Senate Natural Resources Committee Hearing
Senate Joint Resolution 7
Testimony Submitted by Dustin Frost on January 26, 2009

Mr. Chairman, members of the Committee, my name is Dustin Frost. I am the State Director for Montana's Congressman, Denny Rehberg.

Thank you for the opportunity to speak to you today on behalf of Denny in support of Senate Joint Resolution 7. As Montana's lone member of the U.S. House, Congressman Rehberg helped lead the opposition to H.R. 2421, the Clean Water Restoration Act of 2007, when it came before the House during the 110th Congress.

Congressman Rehberg did not stand alone in opposition to this ill-conceived piece of legislation. He was joined by many Montanans including the Montana Stockgrowers Association, Citizens for Balanced Use, Treasure State Alliance, Montana Grain Grower's Association, United Property Owners of Montana, Families for Outdoor Recreation, Montana Farm Bureau Federation, Montanans for Multiple Use, Montana Contractors Association, Montana Wood Products Association, Montana Mining Association and the Montana Agri-Business Association. Thanks to this strong coalition, this bill died in committee during the 110th Congress. Unfortunately, indications are clear that a renewed effort toward the federalization of Montana's water will occur during this Congress.

With this renewed effort, it is absolutely vital that the Montana Legislature acts to put Montana on record as firmly opposed to legislation like the Clean Water Restoration Act that would expand federal regulation of water. As Congressman Rehberg stated in a letter dated May 21, 2008 to Governor Brian Schweitzer, "expanding the definition of water from an already broad interpretation of "navigable" to the all-encompassing "waters of the United States" will give greater control over Montana's water to the Environmental Protection Agency and the United States Army Corps of Engineers, and will add uncertainty for private landowners and Montanans trying to make a living off the land."

The attempt to give the federal government more control over our water will only serve to create more paperwork, headaches, and expense and will undermine the good environmental stewardship already taking place in our state. The passage of this kind of legislation could subject farmers, ranchers, and other private landowners to additional federal permits under Section 404 of the Clean Water Act, or under the National Pollution Discharge Elimination System, even for normal, day-to-day operations. I urge your positive action on this resolution to help Congressman Rehberg deliver the message to Washington, D.C., that here in Montana we don't need increased regulation of our water.